


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AUGUSTUS SIMMONS	:	CIVIL ACTION
	:	
v.	:	
	:	
CAPTAIN FALICESANO, <i>et al.</i>	:	NO. 16-5709

ORDER

AND NOW, this 24th day of March 2017, upon consideration of Defendants' unopposed Motion to dismiss based solely on the statute of limitations (ECF Doc. No. 6), Plaintiff's Opposition (ECF Doc. No. 15), declining to apply a summary judgment analysis because the statute of limitations bar is evident on the face of Complaint based on Plaintiff's admissions and for reasons in the accompanying Memorandum, it is **ORDERED** Defendants' Motion (ECF Doc. No. 6) is **GRANTED** and Plaintiff's claims are **dismissed with prejudice**.

The Clerk of Court shall **close** this case.



KEARNEY, J.